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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,788	01/10/2001	Keith Anderson	6116.200-US	8259
REZA GREEN	7590 08/28/200 , ESO.	EXAMINER		
NOVO NORDISK PHARMACEUTICALS, INC. 100 COLLEGE ROAD WEST PRINCETON, NJ 08540			TELLER, ROY R	
			ART UNIT	PAPER NUMBER
			1654	
			MAIL DATE	DELIVERY MODE
			08/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
09/757,788	ANDERSON ET AL.	
Examiner	Art Unit	
ROY TELLER	1654	

NOTICE OF APPEAL 2.		
 □ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avide abandonment of this application, applicant must intelly file one of the following replies: (1) an amendment, affauty, or other avidence with places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.14. The reply must be filed within one of the following time periods: a) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no evert, however, will be statutory period for reply expires on: (1) the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRM. REJECTION. See MFEP 708.07(1). Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRM. REJECTION. See MFEP 708.07(1). Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRM. REJECTION. See MFEP 708.07(1). Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRM. REJECTION. See of CFR 1.136(a). The box 1 is the date of proper of the firm rejection of the order of Post of the firm rejection of the order of Post of the firm rejection of the order of Post o	The MAILING DATE of this communication appears on t	he cover sheet with the correspondence address
application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a)	THE REPLY FILED 28 February 2008 FAILS TO PLACE THIS APPLICA	ATION IN CONDITION FOR ALLOWANCE.
a) ☐ The period for reply expiresmonths from the mailing date of the final rejection. b) ☐ The period for reply expires on: (1) the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later han SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check other tox (a) or (b) ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See NMEPT 769.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee save been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee naive been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee naive been filed in (b) above, if chocked. Any reply received by the Office later than three months after the mailing date of the final rejection, over if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.74(b). VOTICE OF APPEAL 2. ★ The Notice of Appeal was filed on 29 February 2008. A brief in compliance with 37 CFR 41.37(a), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within two months of the date of filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (c) ☐ They raise new issues that would require further consideration and/or search (see	application, applicant must timely file one of the following replies: (application in condition for allowance; (2) a Notice of Appeal (with for Continued Examination (RCE) in compliance with 37 CFR 1.11	1) an amendment, affidavit, or other evidence, which places the appeal fee) in compliance with 37 CFR 41.31; or (3) a Request
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1; is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REFLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 768.07(f). Extensions of time may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than the period of the final rejection and the date of filing the Notice of Appeal and Indiana (a) and the period of the file of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues fo		ne final rejection.
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee andre 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set fort in (b) above, if checked. Any reply received by the Office of extension and the corresponding amount of the fee. The appropriate extension fee andre 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set fort in (b) above, if checked. Any reply received by the Office delate than three months after the mailing date of the final rejection, even if timely filled, may reduce any samed patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL. 2. A The Notice of Appeal was filled on 29 February 2008. A brief in compliance with 37 CFR 41.37 must be filled within two months of the date of filling the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filled within the time period set forth in 37 CFR 41.37(a). **MENDMENTS** 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s):	no event, however, will the statutory period for reply expire later than S Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY	SIX MONTHS from the mailing date of the final rejection.
 2.	Extensions of time may be obtained under 37 CFR 1.136(a). The date on which have been filed is the date for purposes of determining the period of extension an under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened set forth in (b) above, if checked. Any reply received by the Office later than three may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	d the corresponding amount of the fee. The appropriate extension fee statutory period for reply originally set in the final Office action; or (2) as
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(d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE:		or appear by materially reducing or simplifying the issues for
5. Applicant's reply has overcome the following rejection(s): 5. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 3 The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9 The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10 The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11 The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12 Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)	(d) ☐ They present additional claims without canceling a correspon	nding number of finally rejected claims.
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11. \(\text{The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \(\text{See Continuation Sheet.} \) 12. \(\text{Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).} \) 13. \(\text{Other: } \) 14. \(\text{Other: } \) 15. \(\text{Christopher R. Tate/} \)	10. ☐ The affidavit or other evidence is entered. An explanation of the s REQUEST FOR RECONSIDERATION/OTHER	status of the claims after entry is below or attached.
13. ☐ Other: /Christopher R. Tate/	11. 🛮 The request for reconsideration has been considered but does N	OT place the application in condition for allowance because:
/Christopher R. Tate/	12. Note the attached Information Disclosure Statement(s). (PTO/SB	/08) Paper No(s)
	13.	
. Inner, Drammer, The Committee		/Christopher R. Tate/ Primary Examiner, Art Unit 1655

Continuation of 11. does NOT place the application in condition for allowance because: No claim amendments have been presented within the reply filed 2/28/08. Applicant's arguments within the reply filed 2/28/08 have been carefully considered but are not deemed persuasive. The rejections stand for the reasons of record.